

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Alphonso Spive

19 cv 09988

Write the full name of each plaintiff.

(Include case number if one has been assigned)

-against-

City of New York

Solomon Waterston, Florilla

LINDER, Shante JONES, FLORINE BUMPERS

LEONARD Bailey, KASHENA Stokes et, al

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

AMENDED

COMPLAINT

Do you want a jury trial?

☐ Yes ☒ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☒ **Federal Question**
- ☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?
Americans with Disabilities Act (ADA), Rehabilitation Act of 1973, Human Rights

Negligence, Pain Suffering Post Tramatic Stress

Excessive Force, Falsing Statement, Unlawfully Imprisonment.

B. If you checked Diversity of Citizenship**1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of
(Plaintiff's name)

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or
subject of the foreign state of _____.

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of
the State of _____

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing
information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional
pages if needed.

Alphonso		Syville	
First Name	Middle Initial	Last Name	
106 Hornbean Avenue			
Street Address			
Swedesboro		New Jersey	08085
County, City	State	Zip Code	
6466733205	sohoodent27@aol.com		
Telephone Number	Email Address (if available)		

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: **Solomon** **Waterton**
 First Name Last Name
Special Officer of Dept. of Social Services
 Current Job Title (or other identifying information)
 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
 Current Work Address (or other address where defendant may be served)
New York **NY** **10007**
 County, City State Zip Code

Defendant 2: **Floritha** **Linder**
 First Name Last Name
Special Officer of Dept. of Social Services
 Current Job Title (or other identifying information)
 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
 Current Work Address (or other address where defendant may be served)
New York **NY** **10007**
 County, City State Zip Code

Defendant 3: **Shante** **Jones**
 First Name Last Name
Special Officer of Dept. of Social Services
 Current Job Title (or other identifying information)
 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
 Current Work Address (or other address where defendant may be served)
New York **NY** **10007**
 County, City State Zip Code

Defendant 6: City of New York

Defendant 4:	Kashena	Stukes
	First Name	Last Name
	Sgt at Department of Social Services	
	Current Job Title (or other identifying information)	
	150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)	
	Current Work Address (or other address where defendant may be served)	
	New York	NY 10007
	County, City	State Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: 131W 25st Jack Ryan Single Adults Men MICA (Homeless Shelter)

Date(s) of occurrence: July 2nd, 2019

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

see document attached

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Traumatizing for a person already with a mental and physical disability. Scars from the use of excess force around my hands and ankle cuffs (permanent marks). Lost of hair, continuing to cause more damage to my lower back. Pain, suffering, negligence (see attachment # 3 in the original complaint).

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

I am looking for hundreds of million in damages dollar.

Money damages, Compensatory Damages, Punitive damages



**United States District Court
Southern District of New York**

Pro Se (Nonprisoner) Consent to Receive Documents Electronically

Parties who are not represented by an attorney and are not currently incarcerated may choose to receive documents in their cases electronically (by e-mail) instead of by regular mail. Receiving documents by regular mail is still an option, but if you would rather receive them only electronically, you must do the following:

1. Sign up for a PACER login and password by contacting PACER¹ at www.pacer.uscourts.gov or 1-800-676-6856;
2. Complete and sign this form.

If you consent to receive documents electronically, you will receive a Notice of Electronic Filing by e-mail each time a document is filed in your case. After receiving the notice, you are permitted one "free look" at the document by clicking on the hyperlinked document number in the e-mail.² Once you click the hyperlink and access the document, you may not be able to access the document for free again. After 15 days, the hyperlink will no longer provide free access. Any time that the hyperlink is accessed after the first "free look" or the 15 days, you will be asked for a PACER login and may be charged to view the document. For this reason, *you should print or save the document during the "free look" to avoid future charges.*

IMPORTANT NOTICE

Under Rule 5 of the Federal Rules of Civil Procedure, Local Civil Rule 5.2, and the Court's Electronic Case Filing Rules & Instructions, documents may be served by electronic means. If you register for electronic service:

1. You will no longer receive documents in the mail;
2. If you do not view and download your documents during your "free look" and within 15 days of when the court sends the e-mail notice, you will be charged for looking at the documents;
3. This service does *not* allow you to electronically file your documents;
4. It will be your duty to regularly review the docket sheet of the case.³

¹ Public Access to Court Electronic Records (PACER) (www.pacer.uscourts.gov) is an electronic public access service that allows users to obtain case and docket information from federal appellate, district, and bankruptcy courts, and the PACER Case Locator over the internet.

² You must review the Court's actual order, decree, or judgment and not rely on the description in the email notice alone. See ECF Rule 4.3

³ The docket sheet is the official record of all filings in a case. You can view the docket sheet, including images of electronically filed documents, using PACER or you can use one of the public access computers available in the Clerk's Office at the Court.

500 PEARL STREET | NEW YORK, NY 10007
300 QUARROPAS STREET | WHITE PLAINS, NY 10601

PRO SE INTAKE UNIT: 212-805-0175

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Note: This consent will apply to all cases that you have filed in this court, so please list all of your pending and terminated cases. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

1:19-cv-09265

Syville, Alphonso

Name (Last, First, MI)

106 Hornbean Av.

Address

Swedesboro

City

New Jersey

State

08085

Zip Code

6466733205

Telephone Number

sohoodent27@aol.com

E-mail Address

February 14, 20020

Date

Signature

Return completed form to:

Pro Se Intake Unit (Room 200)
500 Pearl Street
New York, NY 10007

Defendants:

- 1) Solomon Waterton
 - a. Special Officer at Department of Social Services
 - b. Address: 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
New York, NY 10007
- 2) Floritha Linder
 - a. Special Officer at Department of Social Services
 - b. Address: 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
New York, NY 10007
- 3) Shante Jones
 - a. Special Officer at Department of Social Services
 - b. Address: 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
New York, NY 10007
- 4) Florine Bumpars
 - a. Special Officer at Department of Social Services
 - b. Address: 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
New York, NY 10007
- 5) Leonard Bailey
 - a. Special Officer at Department of Social Services
 - b. Address: 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
New York, NY 10007
- 6) Kashena Stukes
 - a. Sgt at Department of Social Services
 - b. Address: 150 Greenwich Street, Office of Legal Affairs, 38th Floor (OLA Subpoena Unit)
New York, NY 10007

7) City of New York

Statements of Facts:

I was assaulted on July 2nd, 2019 by the Defendants Solomon Waterton and Lonard Bailey, acting as special officers of the Department of Social Services, at 131 Jack Ryan Homeless Shelter for Single Adult Men (see attachment # 4, parts 1-3 in the original complaint).

I have a physic and mental illness and been fighting my SSI case since April 2016, but I have been surviving out off Welfare since (see attachment # 1 in the original complaint).

Staff of Jack Ryan refused to help me, a physical ill client, with my property through the metal detector to be searched. Even after being called ahead of time from my previous shelter that my property was being transported from due to my back injury that staff at Jack Ryan needs to help me with my property when it arrived (see attachment # 4, part 1 in the original complaint).

Also, the main reason I was transferred to Jack Ryan Homeless Shelter was because it was close to Bellevue Hospital Center, where I was about to have lower back surgery (see attachment # 2 in the original complaint).

Due to this, I was denied entrance to the Jack Ryan Shelter. Then the Defendant Waterton put me in a bear hug. Then the officer Bailey put me in a headlock, took me down to the floor. The other Defendants cuffed my arms and ankles. Defendant Waterton lifted me up by my dreads, pulled out like ten of my dreads. The defendants banged my head off the wall as they dragged me down like fifteen steps in ankle and hand cuffs on my way to the DHS office. Defendant Stukes lied and advised some of the Defendants to make false statements and locked me up.

Defendants clearly violated DHS protocol (see attachments # 3 and 4 in the original complaint).

Defendants threw all my property away, my whole life. I have nothing right now. They couldn't help lifting my property, but they helped lift my property to throw it away (see attachment # 6 in the original complaint).

2/21/20

To The Courts

Can you please Rephce my
Last Amended Complaint with
this 1.

We forgot to add City of New
York which was on the original
Complaint.

Just wanna make sure

Alfonso Syulle

A. Syulle